



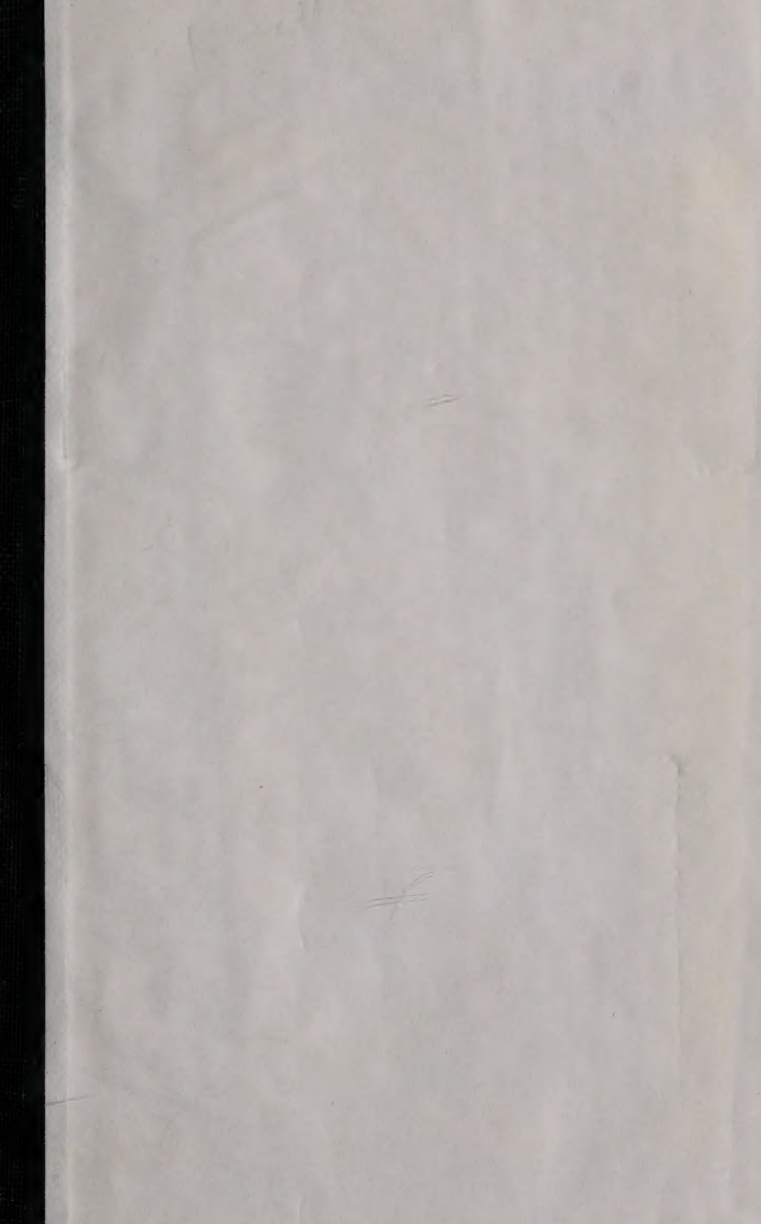
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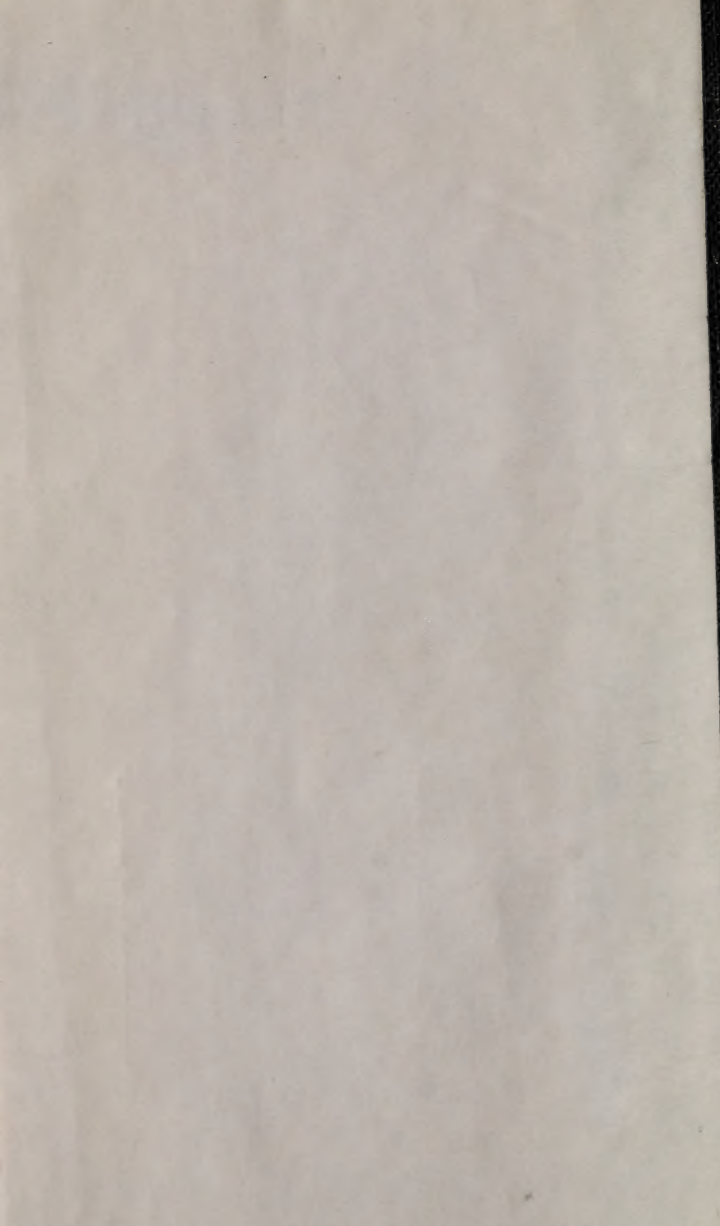
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To My

Countrymen

by

Desha Bandhu Chitta Ranjan Das

Published by

Vande Mataram Karyalaya

∴ ∴ Vellore ∴ ∴

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
Deane, Bantam Hills, Nanjan Das

Published by

Vande Malabar Branch

Vellore

Preface



No preface is necessary for this book. Many of Desa Bandhu's utterings have been published in many other books till now. But his presidential address and other messages given about the time of his incarceration have not all collectively been published as one book. At the request of the public, we have undertaken to publish this book. We hope the public will give us the encouragement we deserve.

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TO MY COUNTRYMEN

Mr. Chairman of the Reception Committee and Delegates of the Indian National Congress:—

We have arrived at a critical stage in our struggle with the Bureaucracy ; and it behoves us, every one of us, to search our hearts and to ask ourselves the question “do I stand for India in her present struggle?” It is because I stand for India that I have responded to your unanimous call to-day. I thank you for your confidence in me ; but I warn you that I have no worldly wisdom to offer you. I come from a city which has felt the full force of the wrath of the Government. Measures for stifling political life have been taken as I believe, in order to coerce the people to receive His Royal Highness the Prince of Wales ; but it is the imprisoned soul of Calcutta that will greet His Royal Highness on the 24th December. I come from the struggle which has just begun in Calcutta, chastened and purified, and if I have no worldly wisdom to give, I at least bring before you unbounded enthusiasm and a resolute determination to see this struggle through.

I think that at the very outset we ought to

deem our attitude in relation to the present struggle. What is our aim? Whither are we going? I think that most people will agree that we are out to secure freedom, freedom from foreign subjection, freedom from foreign interference. It is as well, however, that we should have a clear grasp of what is meant by the word "Freedom." In the first place it does not imply absence of all restraint. When I am forbidden to steal my neighbour's purse or to trespass on my neighbour's land, there is necessarily a restraint on my action, but there is no opposition between freedom and such restraint as has the sanction of the people behind it. In the second place, freedom does not necessarily mean absence of the idea of dependence. Dependence there must be so long as we live in society and need the protection of society; and there is no necessary opposition between freedom and such dependence as is willingly suffered by the people. But though there is no necessary opposition between freedom and restraint, and freedom and dependence, it must be remembered that restraint that does not deny freedom can only be such restraint and has the sanction of the people behind it; and dependence consistent with freedom can only be such

dependence as is willingly suffered by the people for its own protection.

WHAT IS FREEDOM?

What then is freedom? It is impossible to define the term; but one may describe it as that state, that condition, which makes it possible for a nation to realize its own individuality and to evolve its own destiny. The history of mankind is full of stirring stories as to how nations have striven for freedom in order to keep their nationalism and their individuality inviolate and untarnished. To take only modern instances, one may refer to Finland and Poland, Ireland Egypt and India. Each of these nations has offered a determined resistance to the imposition of a foreign culture upon it. The history of these nations has run on parallel lines. First there is the protest against cultural conquest; secondly, there is the desire for national education; and lastly, there is the demand for its recognition as a separate organism with the power to work out its own destiny without any hindrance from any foreign power.

We stand then for freedom, because we claim the right to develop our own individuality and evolve our own destiny along our own lines, unembarrassed by what Western civilisation has

to teach us and unhampered by the institutions which the West has imposed on us. But here a voice interrupts me ; the voice of Ravindranath, the poet of India. He says, " the Western culture is standing at our door, must we be so inhospitable as to turn it away, or ought we not to acknowledge that in the union of the cultures of the East and the West is the salvation of the world ? " I admit that if Indian Nationalism has to live, it cannot afford to isolate itself from other nations. But I have two observations to make on the criticism of Ravindranath ;—first, we must have a house of our own before we can receive a guest ; and secondly, Indian culture must discover itself before it can be ready to assimilate Western culture. In my opinion there can be no true assimilation before freedom comes, although there may be, as there has been, a slavish imitation. The cultural conquest of India is all but complete : it was the inevitable result of her political conquest. India must resist it. She must vibrate with national life ; and then we may talk of the union of the two civilizations. I must dispose of another objection, this time of my Moderate friends. " You concede," I hear them say, " that freedom is not an end in itself, but a means to an end, the end being

self-realisation, self-dependence, self-control; why not work out your destiny within the British Empire?" My answer is that so long as India occupies the position of a dependent in the British Empire, so long the task cannot be undertaken. Go into the villages, the heart of India, and see the life that is lived by the average Indian. They are sturdy men and fearless men; they are men of whom any country would be proud but the degradation that must inevitably follow subjection is writ large on their brow, and their lot is made up of caste troubles, petty squabbles, and endless pursuit of litigation for litigation's sake. Where are now the institutions that made them self-dependent and self-contained? Where is the life that enabled them to earn their livelihood and yet left them free to worship the God of their fathers? I assert that once a nation passes into subjection, degeneration must inevitably set in, attacking the very life-blood of that nation. Its effect is to be seen not in this sphere or that sphere but in every sphere of the nation's activity. Economically the British rule has had a disastrous effect on our national well being. Mr. R. C. Dutt and after him Pandit Madan Mohan Malavya have shown how deliberately the destruction of our national

industry, the spinning and weaving industry, was planned. Who can contemplate with equanimity that every year many crores of rupees go out of India without corresponding advantage? Morally, we are becoming a nation of slaves and have acquired the vices of the slave. We speak the language of the master, and ape his manner; and we rush with alacrity to adopt his institutions, while our own institutions lie languishing in the villages. Intellectually, we have become willing victims to the imposition of a foreign culture on us; and humiliation is complete when we are deliberately breaking away from the past, recognising no virtue in its continuity. "But then" say my Moderate friends, "how can you hope to win freedom until you have elevated the people?" If I am right in my diagnosis that the present condition of India, material, moral and intellectual, is the direct result of the foreign rule in India, then it must follow that so long as our subjection continues, so long there is no hope of recovery. You may of course tickle side problems, as we are trying to do. You may infuse such enthusiasm amongst the people as may be of great assistance to you in your political campaigns. But, believe me it is the disease that you must fight and not the outward symptoms of the disease.

I object then to the perpetuation of British domination, as in my opinion, it is impossible to find the fulfilment of our Nationality, our individuality and our personality, so long as that domination continues. In arriving at this conclusion I have entirely ignored the character of the British rule in India. That rule may be good or bad. It may be conceded that it is partly good and partly bad. But my conclusion is based on the view that there is inherent in subjection something which injures National life and hampers its growth and self-fulfilment. Whether within the Empire or outside it, India must have freedom so that she may realize her individuality and evolve her destiny without help or hindrance from the British people.

METHODS OF FIGHT

I now come to the question. What are the methods which we ought to adopt in our fight with the Bureaucracy? There are three and only three methods that I know of:—(1) armed resistance, (2) co-operation with the Bureaucracy in the Councils that have been established under the Government of India Act, and (3) non-violent non-co-operation. The first I must dismiss as beyond the range of practical politics. Even if it were not so, on principle

I am opposed to violence. We must then choose between co-operation and non-co-operation.

I confess that in considering the question of co-operation, I am not a little troubled by the fact, that some of our leaders who assisted at the birth of political life in India, are ranged against us on the question. I therefore propose to consider some of the arguments that are advanced against us by these supporters of the Government of India Act; and in doing so I shall consider, first whether the freedom of the Indian Nation, that is to say, its right to develop its own destiny, has been recognised in the Act; secondly whether the Act either expressly or by necessary implication gives even the beginnings of responsible government to the Indian people and lastly whether the legislature has any control, effective or otherwise, over the purse.

Now the preamble of the Act is the key to the situation. "Whereas it is the declared policy of Parliament" so the preamble runs. What is the declared policy of Parliament? To recognise the inherent right of the Indians to responsible government? Not at all. To recognise the inherent right of India to be treated as free and equal partner of the Commonwealth of nations known as the British

Empire? Not at all. But mark the idea of concession to the rights of India. "To provide for the increasing association of Indians in every branch of Indian administration, and for the gradual development of self governing institutions with a view to the progressive realization of responsible government in British India as an integral part of the Empire." I do not think a more halting concession could ever be made to the rights of a people. Now is there anything in the preamble to compel the British Parliament to recognise India, at any time, as a free and equal partner of the British Empire? I think not. "Progressive realization of responsible Government in British India." These are vague words and they will not, at any time, tax the ingenuity of a British statesman. Omitting the second paragraph and coming to the third, we find "that the time and manner of each advance can be determined only by Parliament, upon whom responsibility lies for the welfare and advancement of the Indian peoples." Mark the word "peoples," not "people,"—an assertion by the Parliament that India is not one, but many—I for one am not prepared to submit to the insult offered to India in the third paragraph of the preamble and

I feel bound to protest against it. We are quite prepared to undertake the responsibility for the welfare and advancement of the Indian people (not peoples) and I altogether deny that a foreign Parliament can possibly discharge its responsibilities in relation to a subject nation. I resent the doctrine that the Parliament is to determine the time and manner of each advance and I say that the whole object of the legislation as disclosed in the third paragraph of the preamble, is to perpetuate the domination of the British Parliament, which I cannot for a moment accept. The fourth paragraph holds out a distinct threat. "And whereas the action of Parliament", so it says, "in such matters must be guided by the co-operation received from those on whom new opportunities of service will be conferred and by the extent to which it is found that confidence can be reposed in their sense of responsibility." In other words, if we are good boys, and if we satisfy the British Parliament that we have a sense of responsibility, then the British Parliament will consider whether we ought not to have a further instalment of reforms. In other words, we are perpetual infants and the British Parliament is our sole guardian.

CONDITION OF CO-OPERATION WITH ENGLAND.

Ladies and gentlemen, I have every respect for the opinion of my political opponents but I cannot accept the fundamental principle on which the Reform Act is based. I think that we should preserve our self esteem, whatever the stage of our progress may be. I think that we should solemnly declare in open Congress, that freedom is inherent in every nation and that India has and possesses the right to develop her own individuality and to evolve her own destiny unhampered by what the British Parliament has decided or may decide for us. I think we should recognize that any power that in any way hampers or embarrasses the self-realization and self-fulfilment of the Indian Nation is an enemy of India and must as such be resisted. I am willing to co-operate with England, but on one condition only, that she recognises this inherent right of India. That recognition you will not find anywhere in the Government of India Act and I for one will not be a party to the perpetuation of British domination in India. But my moderate friends tell me that though the freedom of the Indian people in the sense in which I understand the term, has not been recognised.

in the Act of Parliament, still, if we work the reform, it will not be in the power of Parliament to withhold that freedom. I do not doubt the wisdom of my friends nor deny their patriotism; but the question, in my opinion, is entirely irrelevant. My position is this; that however willing I may be to enter into a compromise with the English Government in matters of detail, and I am willing to make great sacrifices, I will not enter into any compromise on the question which I hold to be fundamental. Freedom is my birth-right, and I demand a recognition of that right, not by instalments, not in compartments, but whole and entire. I do not doubt that victory will be on our side; but supposing we fail, we would at least have reserved inviolate our national self-respect and dignity; we would at any rate have repudiated the insult on which the Government of India Act is based. The difference between the Indian National Congress and the Ministers who are working the Reforms Act seems to me to be fundamental in that the former has its eye fixed on the ultimate and would reject as essentially false anything that does not recognise the freedom of the Indian people; whereas the latter have their eyes fixed on the departments of which they are in charge,

and hope to attain freedom through the successful working of those departments.

REFORMS ACT

I will now consider whether the Act gives even the beginnings of responsible government to India and whether the Legislature has any control over the purse. The two questions must be considered together. It is the view of the Moderates in Bengal that out of seven members of the Bengal Government, five are Indians. The view is entirely erroneous. I think I am right in saying that provinces are governed in relation to reserved subjects by the Governor in-Council and in relation to transferred subjects, by the Governor acting with Ministers. The statute makes no provision whatever for the joint deliberation by the Governor and his Council and Ministers sitting together, except in regard to proposals for taxation and borrowing, and the framing of proposals for expenditure of public money. In regard to the reserved subjects and these are subjects which are of vital importance to us as a nation in our struggle for political liberty, the Ministers have no voice whatever. I think I am right in saying that they are the dumb spectators of the fight that is now going on between us and the Government. They are

not part of the Government to consider whether in relation to the non-co-operation movement, a repressive policy should or should not be initiated in the country. Their advice will not be sought when the Local Government has to consider the question whether Mahatma Gandhi ought or ought not to be arrested. If I am right in my view as to the position of the Ministers in relation to the reserved subjects, then I suggest to my Moderate friends that they are under an entire misapprehension, when they say that a majority of the members of the Government are Indians. The truth is that in relation to the reserved subjects, the Indian element is in a minority and cannot affect the policy of the Government in the slightest degree, provided the Governor and the English members of the Council combine against it.

POSITION OF MINISTERS

I have now to consider the position of the Ministers and the relation between the Ministers and the Legislature in regard to the transferred subjects. My first point is that it is a mistake to suppose that any "subject", has been transferred to the Ministers. I concede that certain departments have been transferred. But I maintain that they have been transferred subject to

the encumbrances created by a century of Bureaucratic rule and the Ministers have no power whatever to discharge these encumbrances. I will at once make my meaning clear. Now, Medical administration is an important department of the State; and so is Public health. Those departments, I understand, have been transferred to the Ministers and the Minister, provided he has complete control of the "subject," is in a position to confer a lasting benefit on the community. But what is the position? The Minister has no effective control over the officers who run these departments, and no voice whatever in the selection of his own officers. It is a peculiar circumstance in the history of the Bureaucratic rule in India that whenever the people have cried for something essential to their existence, the Government has given them expensive administration, expensive offices and expensive buildings instead. The test whether the "subject" has been transferred to the Minister is this. Is the Minister for health, under the law, in a position to take up this attitude—"I will recast the whole system under which these departments have hitherto been administered. I will abolish the Indian Medical Service and employ local agencies who

would know how to disinfect a well and what steps to take in the case of an epidemic. I will then have more money to spend on the needs of the people"? But, no! This attitude the Act denies to him, and yet, it is said that the subject has been transferred to him. One of the Ministers in India described his position in bitter terms in the course of a Council debate. He complained that if he applied to the Medical department or the Sanitary department for doctors to meet an emergency, they said to him in reply, "We have no doctors". If he took the responsibility of sending doctors to the affected area, the Medical department said to him, "We do not recognise your doctors, and you must pay them out of your own pocket." When I point out to you that the Minister in question is the Minister in charge of the Medical department and Sanitary department, you will grasp the full significance of the "transfer of subjects" that has taken place under the Act. Well might a Minister exclaim as one actually did. "Silver and gold have I none, but of such as I have I give unto thee"; that is, sympathy. He added that he could only give sympathy, because the purse was held by somebody else, that is to say, the Finance Member.

CONTROL OVER THE PURSE

This brings me to a question of great importance, and that is, whether the Legislature has any control over the purse. The Moderates maintain the affirmative of the proposition; I maintain the negative. I shall presently refer to the provisions of the Act to support my position; but I have a witness of undoubted position and respectability in my favour, whose evidence, I should like to place before you. In the course of the general discussion on the budget in one of the councils, a Minister said as follows:

“The two poor men who have been put down here as Ministers are presumed to be clothed with all the powers of Ministers in the House of Commons, and therefore they are called upon to account for everything for which, perhaps, a Minister in the House of Commons is responsible.....The Minister here begins his life by getting a dole of money that is given by those who are in charge of the whole administration.” The question is, whether the Moderates are right or the Minister in question is right. Both may be wrong; but both cannot be right.

Under the rules framed under the Govern-

ment of India Act, the framing of proposals for expenditure in regard to transferred and reserved subjects is a matter of agreement between the members of the Executive Council and the Ministers ; but if they do not agree as to the apportionment of funds between reserved and transferred departments 'respectively' the Governor has the power to allocate the revenues and balances of the province between reserved and transferred subjects by specifying the fractional proportions of the revenues and balances which shall be assigned to each class of subject. What, then, is the position ? The Moderates proudly assert that the majority of Members of the Government are Indians. If that were so, one would expect the question of apportionment to be decided in accordance with the view of the majority ; but that is not done, because the entire scheme is based on the distrust of the Ministers. We have therefore this result, that if the members and the Ministers are unable to come to an agreement, the matter is decided by the Governor who may act either in accordance with his own discretion or in accordance with the report of an authority to be appointed by the Governor-General on his behalf on the application of the Governor.

POSITION OF COUNCIL

That is the impossible position in which the Ministers are placed by the scheme framed under the Act; but what is the position of the Council? Has it any power to say, "We require the funds to be apportioned in the way we suggest, and not, according to the proposal made by the Government"? Can it say, "We require you to spend so much to fight malaria or so much for primary education"? The Act undoubtedly gives power to the Council to refuse its assent to a demand, and to reduce the amount therein referred to either by a reduction of the whole grant or by the omission or reduction of any of the items of expenditure in which the grant is composed, but this is subject to an important proviso, viz., that the local Government shall have power in relation to any such demand, to act as if it had been assented to, notwithstanding the withholding of such assent or the reduction of the amount therein referred to, if the demand relates to a reserved subject, and the Governor certifies that the expenditure provided for by the demand is essential to the discharge of his responsibility for the subject. This, according to the Moderates, is the effective control which the Legislature has over

the purse. It has no power whatever to say in what proportion the revenues of the country should be allocated between "Reserved" and "Transferred" departments respectively ; it has no control whatever over the revenue allocated to the reserved subjects. All that it can do is to say to the Ministers, " We refuse our assent to your demand ' or, " we reduce the amount referred to in your demand either by a reduction of the whole grant or by the omission or reduction of any of the items of expenditure of which the grant is composed." It is ridiculous to describe the limited control exercisable by the Council in relation to the transferred subjects as " an effective control over the purse. "

In administrative matters the position of the Minister is no better. The Act provides that in relation to " Transferred " subjects, the Governor shall be guided by the advice of his Ministers, unless he sees sufficient cause to dissent from their opinion, in which case he may require action to be taken otherwise than in accordance with that advice. In a dispute between the Minister in charge of the department of health and his officer on a question of policy, it is possible for the Governor to support the officer against the Minister. In matters of

legislation in relation to the "Transferred" subjects, there is in theory, some power in the legislature, but in practice, the finance department controlled by a member of the Executive Council, would have the last word on the subject; for I can conceive of no legislation which does not involve expenditure of money, and it is the duty of the finance department of which, be it remembered the Minister is not a Member, to examine and advise on the scheme of the new expenditure for which it is proposed to make provision in the estimates.

In regard to the whole scheme, it is legitimate to ask. "Does it secure even the elementary rights which every citizen under any civilised Government possesses? Is repressive legislation impossible under the Act, except with the consent of the people? Does it give to the people the right to repeal the repressive legislation which disgraces the Statute book in India? Has a repetition of the Punjab atrocities been made impossible?" I think I am right in saying, that in regard to all these matters the position is exactly the same as it was before the Reform Act.

This then, is the scheme which is being worked by the Ministers, and we have been

solemnly assured by the Moderates that the beginning of Swaraj is to be found in the scheme. Much as I would like to end all unnecessary conflict, I cannot recommend to you the acceptance of the Act as a basis for co-operation with the Government. I will not purchase peace with dishonour, and so long as the Preamble to the Government of India Act stands and our right, our inherent right to regulate our own affairs, develop our own individuality and evolve our own destiny, is not recognised, I must decline to consider any terms of peace.

THE ONLY METHOD OF WARFARE

The only method, therefore, of Warfare open to us is non-co-operation, and that is the programme which we adopted at two successive Congresses. We are devoted to the doctrine of non-co-operation, and you will not expect me to discuss its ethics. But there are friendly critics whose doubts we ought to dispel, if it is in our power to do so. They say that the doctrine of non-co-operation is a doctrine of negation, a doctrine of despair; they stand aghast at the narrowness, the exclusiveness which such a doctrine implies, and they draw our attention to the trend of political events in the world, and

they ask us whether there is any hope for a nation that is determined to live a life of isolation.

I feel bound to answer the questions which have been raised by these critics, and, in doing so, I must ask myself the question, "What is non-co-operation?" I find it easier to answer the question by considering for a moment what is not non-co-operation. Non-co-operation is not a refusal to co-operate with the English people, because they are English people. Non-co-operation does not advocate a policy of separation, a policy of isolation. Indeed in our conflict with the forces of injustice and unrighteousness we are not forgetting Him, to quote the words of Rabindranath, "Who is without distinction of class or colour, and Who with his varied Shakti makes true provision for the inherent need of each and every class." But before we can join the forces of the world in the missionary enterprise to uplift humanity, it is at least necessary that we should find fulfilment in self-realization and self-development, for it is only as a nation that has realized itself that we can hope of any service to humanity. Let us consider the matter for a moment. Our philosophy recognises that there is an essential unity

behind all diversities, and that these diversities, "*Vaichitrya*" if I may use that expression, constitute the *Lila* of the Supreme Reality. The whole object of human endeavour, as I understand it, is to reconcile these endless diversities so as to affirm the Supreme Reality. God's *Lila* requires that every 'manifestation must have an unhampered growth. Every nation on the face of the earth represents such a manifestation. Like the various flowers in a garden, the nations must follow their own laws and work out their own destiny, so that in the end they might each and all contribute to the life and culture of humanity. In order that humanity may be served, the ultimate Unity realized, that essential something which distinguishes one nation from another, which I may describe as the individuality of the nation, must have unfettered growth. This is the essence of the doctrine of nationalism for which men have been ready to lay down their lives. Nationalism is not an aggressive assertion of its individuality distinct and separate from the other nations, but it is a yearning for self-fulfilment, self-determination and self-realization as a part of the scheme of the universal humanity by which alone humanity can fulfil

itself, determine itself and realize itself. Non-co-operation therefore, though it does not refuse co-operation with the English because they are English, will refuse to co-operate with any power or institution which embarrasses in any way the growth of the individuality of the Indian nation or hampers its self-fulfilment. Non-co-operation again does not reject Western culture because it is Western. But it recognises that there must be rejection in order that there may be whole-hearted acceptance. The cry for national education is not a protest against foreign education. But it is a protest against the imposition of foreign culture on India. Subjection is hard to bear, whether to be political or cultural; and indeed as history shows, cultural subjection must inevitably follow in the wake of political subjection. Our desire for national education is only an endeavour to establish a continuity with the past and to enthrone our culture in our hearts. The doctrine that we preach does not include any right that may come from outside; but we say to those who care to listen to us, "First, light the lamp that lies neglected in your home; look into the past and realise your present position in the light of the past; and then face the world with

courage and receive whatever light that may come from outside. "

WHAT IS NON-CO-OPERATION ?

What then is non-co-operation ? I cannot do better than quote the eloquent words of Mr. Stokes : " It is the refusal to be a party to preventable evil ; it is the ' refusal to accept or have any part in injustice ; it is the refusal to acquiesce in wrongs that can be righted, or to submit to a state of affairs which is manifestly inconsistent with the dictates of righteousness. And as a consequence, it is the refusal to work with those who, on grounds of interest or expediency, insist upon committing or perpetuating wrong. "

But it is argued that the whole doctrine is a doctrine of negation, a doctrine of despair. I agree, that in form the doctrine is one of negation, but I maintain that in substance it is one of affirmation. We break in order to build ; we destroy in order to construct : we reject in order to accept. This is the whole history of human endeavour. If subjection be an evil, then we are bound to non-co-operate with every agency that seeks to perpetuate our subjection. That is a negation ; but it affirms our determination to be free, to win our liberty at any cost.

Nor do I agree that the doctrine is one of despair. It is a doctrine of hope and of confidence and of unbounded faith in its efficacy. One has only to look at the faces of the sufferers as they are led to prison to realise that victory is already ours. It is not for nothing that Shaukat Ali and Mohamed Ali, courageous and resourceful, have lived and suffered. It is not for nothing that Lajpat Rai, one of the bravest, of spirit that ever faced the sun, flung the order of the Bureaucracy in its face, and marched boldly into the prison that awaited him. It is not for nothing that Motilal Nehru, that prince amongst men, spurned the riches that were his, and defied the order that would enslave him, refusing no pain that the malice of power could invest. Time will not permit me to read to you all the names that are inscribed on the roll of honour ; but I must not forget to mention the students who are at once the hope and the glory of the Motherland. I, who have been privileged to watch the current of political life in its very centre, can testify to the wonderful courage and unflinching devotion displayed by the students. Theirs is the inspiration behind the movements, theirs the victory. They are torch-bearers of the time : they are the pilgrims on the road. If

suffering has been their lot, victory is under due.

NO STAYING OUR HAND

This, then, is the philosophy on which the non-co-operation movement is based ; to defy with absolute, constancy the hostile powers that would hamper in any way our growth and self-fulfilment as a nation, to keep its evil always in view, not hating the power but recognising its evil as an evil and refusing no suffering that the malice of that power can invent. I admit, gentlemen, that ideal is very high, but I maintain that it is the only method which we can adopt for the early establishment of Swaraj. It requires no wisdom to see that if every one of us withdraws our helping hand from the machine that is relentlessly working to prevent our growth and self-realisation as a nation, the machine must of necessity stop its work. We are told, however, that once the machine of government stops its work, we shall be swept away by the forces of disorder and reaction. There is a simple answer to this argument. The non-co-operation movement can never hope to succeed, unless our forces are properly organised, and the ethics of the movement properly understood, by the nation. If they are not understood, the question will not arise, for we cannot then hope

to carry the struggle to a successful termination; but if they are understood, then the inherent strength of the movement will prevent anarchy and bloodshed. But I cannot disguise from myself the fact that there have been disturbances in Bombay in the course of our propaganda. We must accept responsibility for such disturbances and frankly admit that to the extent to which there has been violence, intimidation, and coercion, we may be said to have failed. But what is the remedy? Surely not to abjure our faith, but to see that the faith is properly understood. Bloodshed and disorder have been associated with every great movement that has taken place,—the spread of Christianity, for instance. But is it to be argued, that because in the spread of a new idea there is danger of disorder and disturbance as it comes into conflict with ideals and the old view of life, the missionaries must of necessity stay their hand and decline to carry the light? Such an argument is not worth a moment's consideration. You may argue if you like that our doctrine has not yet been understood by the people. You may argue if you choose that our programme ought to be revised in the light of the disturbances which have taken place in Bombay. But the fact that disturban-

ces have in fact taken place in a single small area is no argument against the essential truth of our movement. We must meet the situation with courage and devise means to prevent the recurrence of those disturbances ; but I cannot and I will not advise you to stay your hand from the non-co-operation movement. The fact that India has remained calm in spite of the recent arrests shows that the Bombay lesson has gone home. The recent manifestation of courage, endurance and remarkable self-control has in my opinion demonstrated the efficacy and the necessity of non-violent non-co-operation. And nothing can stop our onward march if the same spirit is still further developed and retained to the end.

IMPRESSION ON BUREAUCRACY

Ladies and gentlemen, the success of our movement has made a deep impression on the Bureaucracy, if we may judge by the repressive policy which it has initiated and is carrying into effect. I observe that His Excellency the Viceroy objects to the policy being described as "repressive", but I have yet to know that the Seditious Meetings Act and the Indian Criminal Law Amendment Act are part of the ordinary criminal law of the land. Indeed, if I am not mistaken, these were two of the Acts that were

considered by the Committee appointed to examine repressive legislation. It is true that the Committee consisting of an Indian Chairman and six Indian Members out of eight, were unable to recommend the repeal of these two Acts. They have only shown what confidence can be reposed in their sense of responsibility. But the fact remains that the Acts were treated as repressive laws and discussed as such. Lord Reading is obviously in error in suggesting as he has done, that the arrests now being made in Calcutta, and in other parts of India are under the ordinary criminal law of the land. His Excellency asserts that there are organized attempts to challenge the law and he does not understand what purpose is served by flagrant breach of the law for the purpose of challenging the Government and in order to compel arrest. I would with all respect put one question to His Excellency. If Japan planted her national flag on Australia, and gave Australia such freedom and such constitution as we enjoy under Great Britain, neither less nor more, what would His Excellency's advice be to the Australians, if they were determined to win freedom at all costs? And if Japan promulgated repressive laws without the sanction of the

Australians, prohibiting meetings and declaring as unlawful all voluntary associations through which alone the Australians could hope to work for national regeneration, what would His Excellency's advice be to the Australians, supposing they solemnly agreed to defy such laws and disregard the orders issued under such laws? I venture to think that His Excellency does not understand the situation which has arisen in India; therefore he is puzzled and perplexed. Rightly or wrongly, the Congress has adopted the policy of non-co-operation as the only legitimate political weapon available for its use. That is not breaking the law. Rightly or wrongly, the Congress has decided to boycott foreign cloth. That is not breaking the law. Rightly or wrongly the Congress has decided to boycott the visit of His Royal Highness the Prince of Wales. That is not breaking the law. Now in what way is the Congress to carry on its work except through the voluntary organisations which you have proclaimed unlawful under the Indian Criminal Law Amendment Act? In striking at these voluntary organisation, you strike at the Congress propaganda which, you are bound to admit, is not unlawful. Why should it puzzle your Excellency, assuming you credit us with the same

amount of patriotism which you have, that we have solemnly resolved to disobey your orders and court imprisonment? I assert that it is you who have broken the law and not we. You have transgressed the law which secures to every subject freedom of speech and action, so long as the speech and the action do not offend against the ordinary criminal law of the land. You have transgressed the law which secures to the subject the unrestricted right to hold meetings, so long as these meeting do not degenerate into unlawful assemblies. These are the common law rights of the object which you have transgressed and I would remind your Excellency that it is on the due observance of these elementary rights that the allegiance of the subject depends.

But then, it is said that these associations interfere with the administration of the law and with the maintenance of the law and order. If they do, then the ordinary criminal law is there, and it ought to be sufficient. I have heard of no instance of violence in Calcutta : certainly none was reported to the police. Charges of violence can be investigated, and therefore they were not made. But charges of threat and intimidation are easy to make, because they cannot be investigated. I would ask the autho-

rities one question. Was any case of threat or intimidation reported to the police? Has the local Government found on enquiry, that quite apart from general allegations which can easily be made, there were specific cases of threat or intimidation practised by the non-co-operators on the "loyalists" of Calcutta? An English Journalist, signing himself as "Nominis Umbra" gave as his opinion to an English paper in Calcutta that the *hartal* was willingly acquiesced in by the people. We read in "A Ditcher's Diary" in *Capital* of the 24th November last "The people surrendered at discretion, but it was impossible for a careful observer not to see that not only were they, for the most part, willing victims of new zoom, but also that that they exulted in the discomfiture of the Sirkar." If that be so, then what case is there for the declaration under Sec. 16 of the Indian Criminal Law Amendment Act? Was the position in Calcutta on the 7th November last worse than the position in England when a big strike is in progress? And is it suggested that there resides any power in the Cabinet of England to put down a strike and prevent picketing? No, gentlemen, the real object of the application of the Indian Criminal Law

Amendment Act is not to protect society against the threats and intimidation of the non-co-operators, but to crush the Congress and the non-co-operation movement. It is to such threat that you have to return an answer.

GOVERNMENTS, OBJECT

There is another object which the Government has in view: it is to make by threat, intimidation and coercion, the visit of His Royal Highness the Prince of Wales to Calcutta a success. On your behalf I would respectfully lay before His Royal Highness our wishes of goodwill to him personally. There is no quarrel between us and the Royal House of England; but he comes here as the ambassador of a power with whom we have decided not to co-operate; as such we cannot receive him. Also, we are in no mood to take part in any rejoicing. We are fighting for our national existence, for the recognition of our elementary right freely to live our own life and evolve our own destiny according to our lights. It would be sheer hypocrisy on our part to extend a national welcome to the ambassador of the Power that would deny us our elementary rights. There is, in the refusal to extend a national welcome to His Royal Highness, no disrespect either to him

or to the Royal House of England. There is only a determination not to co-operate with the Bureaucracy.

“TO MY COUNTRY MEN”

The recent communique of the Government of Bengal, the order of the Commissioner of Police, and the various orders under Section 144 issued by Magistrates in different districts of Bengal, make it absolutely clear that the Bureaucracy has made up its mind to crush the movement of Non-Co-operation. The people of Bengal have therefore resolved to persevere with all their strength in the struggle for freedom. My message to them is one of hope and encouragement. I knew from the beginning that the Bureaucracy would be the first to break the law. It began its illegal career at the very outset by occasional orders under Section 144. It continued the unjust and illegal application of the Section in opposition to this movement. Now that the movement is about to succeed, it has adopted forgotten laws and forsaken methods, and Section 144 is being indiscriminately used to further the same object.

Our duty is clear. The Indian National Congress has declared that Swaraj is our only goal and that Non-Co-operation is the only

method by which to reach that goal. Whatever the Bureaucracy does the Nationalists of Bengal cannot forget their ideal. The people of Bengal are now on their trial. It entirely depends on them whether they would win or lose. I ask my countrymen to be patient, I appeal to them to undergo all sufferings cheerfully I call upon them not to forsake the sacred work which the Indian National Congress has enjoined.

The Congress work is done and can only be done by volunteers. Let it be clearly understood that every worker, young or old, man or woman is a volunteer. I offer myself as a volunteer in the Service of the Congress. I trust that within a few days, there will be a million volunteers for the work of the Province. Our cause is sacred, our method is peaceful and non-violent. Do you not realise that the Service of our country is service of God? I charge you to remember that no communique of earthly Governments can be allowed to stop God's worship.

I appeal to the people of Bengal to realise this truth. I pray to God that it may be given to the Bureaucracy to understand, appreciate and recognise this great truth.

TO THE CONGRESS WORKERS.

My first word and my last word to you is never to forsake the ideal of Non-violent Non-Co-operation. I know it is a difficult creed to follow. I know that some time the provocation is so great that it is extremely difficult to remain Non-violent in thought, word and deed. The success of the movement however, depends on the great principle and every worker must strengthen himself to withstand such provocation. We are too apt to throw the blame on other persons. For instance, if there is a riot in a city, we say that the hooligans were provoked to commit the riot. Let us not forget that these so-called hooligans are our countrymen. Let us not forget that we the Non-Co-operators claim to hold the country. Let us realise that to the extent to which we do not succeed in so controlling the masses, be they hooligans or not, to that extent Non-Co-operation has failed. The responsibility is ours. It does not lie in our mouth to say that wicked people have instigated the masses to break law and order. Do you not realise that the success of our movement depends on this, that no other people wicked or otherwise should be able to lead the masses or any section of our country-

men towards violence and bloodshed? If we fail to exercise control over the masses, how can we claim to have success? I am not discouraged. I do not want you to be discouraged. I pray to God that you may have sufficient strength to carry on this great battle peacefully never forsaking the ideal of Non-violent Non-Co-operation in all its bearing.

THE CONGRESS AND THE BUREAUCRACY

I said the other day that the Congress must be judged by the claim it makes. As we claim to hold the country we must accept responsibility for any violence anywhere in this country. One must in fairness except those places where the message of the Congress has not been allowed to be heard. We accept no responsibility with regard to the Moplah outrage. I firmly believe that that rebellion would have been impossible, had the Congress and the Khilafat workers been permitted to carry the gospel of non-violent non-co-operation. But the position of the Congress is different regarding the recent violence in Bombay and the application of such violence under similar circumstances. Let us understand clearly the real issue which governs this assumption of responsibility. I have stated

it before, but I find its real significance has not been appreciated.

Do we assert that the movement of non-violent non-co-operation has succeeded? If it has, is it not quite clear that it is because the Congress may be said to have established its control over the masses in this country? That is the only test of the success of this movement.

The continuance of such control is the measure of our success, its discontinuance must be the measure of our failure. This is also the standard by which the bureaucracy must be judged. The bureaucracy claims to hold this country. I am attaching no importance to its claim, so far as that claim is based on physical force. If that had been the only basis of its enormous claim I would have unhesitatingly declared that the bureaucracy was no more. I am dealing only with its claim so far as it depends only on the moral control which it may still exercise. Our rulers are never tired of quoting Mahatma Gandhi's assumption of responsibility as an admission of the failure of the Non-co-operation movement. That great soul never expresses himself in the faltering accents of half truth and untruth. If there has been a weakening of the control which the Indian National Congress has esta-

lished let the fact be clearly admitted—so it was admitted. May I not point out with equal force and with equal truth that every case of violence such as was practised in Bombay proves, and must prove, the failure of the bureaucracy to that extent? If such violence proves that the Congress had lost its hold on those who were guilty of violence, to my mind it proves as convincingly that the bureaucracy also had lost its control.

This brings out the real issue. I state it once again so that my countrymen may realise its deeper significance. The struggle for Swaraj is a struggle for this control. The India of today is a country of opposing claim and uncertain control. The Indian National Congress claims to hold the country. The bureaucracy makes the same claim. Are we right? Are they right? The coming events must furnish the answer.

TO THE PEOPLE OF CALCUTTA.

I do not know how long I shall be allowed to remain out of jail. I repeat with all the emphasis I can command that every Congress and Khilafat worker must remain absolutely non-violent in thought, word and deed. I ask every citizen of Calcutta who has any sympathy

for the work of the Congress and Khilafat to remember that the best and the surest way to destroy this work is to help violence in any shape or form.

I ask the people of Calcutta not to gather in large numbers at street corners as the did to-day. I knew that soldiers would be posted. I was not afraid because I had every confidence in our workers. There is no doubt there will be ample provocation. You must expect it. We must withstand this provocation, otherwise we deserve to lose. I say to our workers again that they must expect to be assaulted and they must be prepared not to be provoked into violence.

Fear of jail, fear of assaults and fear of being shot down—these are the 3 fears which every worker must conquer before we can get Swaraj. We have conquered the fear of jail; we are about to conquer the fear of assault. It depends on the Bureaucracy when we shall succeed in conquering the fear of being shot down.

In the meantime, I charge every one to remember that our success can only depend on non-violence so real, so perfect that all Godfearing men and women must come over to our side.

MESSAGE TO THE PERSECUTED

What shall I say to those who have suffered, who are suffering, and to those who are prepared to suffer for the cause of freedom? I repeat the message which was delivered by a Persian Poet.

Truth, love and courage—that is all you need to learn, all that you need to remember. Faith, Fortitude, Firmness, will they falter and fail and fade at the hour of trial, in the moment of despair, asked the Saqi in a mournful strain, or will they, tried and tested emerge from the fire of life radiant, strengthened, ennobled, purified?

Nor will I forsake them, answered the youth; not even were the heavens to fall.

Thine then, said the Saqi, is the path of glory; thine a nation's gratitude; thine the fadeless crown.

Would that courage, unfailing courage, unbent courage, such as thine, be the proud possession of all?

For naught but courage winneth life's battle, naught but courage secureth soul's freedom, man's noblest, highest prize. Let courage then, be thy gift, O God, to this wondrous land of Love and Light.

TO THE STUDENTS

ON JITENDRALAL'S IMPRISONMENT.

"If it is a sin to have demanded liberty for my countrymen with full and passionate intensity of soul, then I have sinned grievously, sinned beyond pardon or penitence and I rejoice that I have so sinned. If it is an offence to have asked my people to shake off the fetters of foreign servitude that degrades and dwarfs our humanity, then I am one of the most offending souls alive, and I rejoice and am thankful that God gave me the courage and hardihood to commit such an offence. And as the Allmerciful gave me courage and strength in the past to speak out the truth that is within me, so I hope that He will give me endurance in the future to go through the agony of man's unrighteous persecution."

So said Jitendralal Banerjee as I find from a certified copy of his statement made to the Magistrate. We all know Jitendralal Banerjee. I have been intimately connected with him—certainly for the last five or six years of our national activity. Two years of rigorous imprisonment for saying what he believed to be true. A man who undergoes such suffering as this for the sake of truth must be understood and appreciated.

What is he Jitendralal Banerjee? I ask the student community to realise the essential truth of his life. His life has been lived up to the present moment practically before the students of Bengal. He passed his M. A. Examination in 1902 standing first in the First Class. After that he obtained the State Scholarship to proceed to England but he chose to educate himself and to educate others in this country. He served as a Professor of English in various Colleges always preferring Indian to Government Institutions. His last appointment was in the Ripon College where he served till 1911. In that year his services were dispensed with by the College authorities because he refused to give an undertaking that he would no longer take part in politics. Then began his career at the bar.

Although he had always taken part in politics from 1911-1912 he became a prominent figure in the Congress. A devoted follower of Surendra Nath Banerje, he broke away from him at the time when the whole of Bengal was intensely agitated on the question of Mrs. Besant's election to the Presidential chair of the Congress. Since then he has been working unceasingly in support of the national cause.

There was no man in our political circle who was a more sincere friend and well-wisher of the student community. He was like a brother to every one of them who came to him, helping them with advice, with his money and in every possible way. An ardent patriot who yielded to none in his love for his country, with a heart tender and yet stern and unbending. I wish he had been among our midst at the present moment for Bengal hath need of him. We want his sincerity, we want his courage, we want his love for truth. Let his sacrifice enable us.

What is Jitendralal Bennerjee? I ask the students of Calcutta to realise the truth of his life. Words cannot convey it. The work that he did, the life which he lived, the qualities of his head and heart, all culminating in the grand sacrifice which he had the courage to make—these are more eloquent, than any words that I can employ.

I ask again : what is Jitendralal Bannerjee? I wish with all the craving of my heart that the students of Calcutta knew how to answer this question. He had given up his life for the well-being of his dear devoted students. Are there none now to tell us the meaning of his sacrifice

not by speaking angry words, nor by shedding idle tears but by taking up the cause he loved so well and by strengthening that cause by their own sacrifice.

Merely existing is not living. I wish I could say the students of Calcutta were living as men should live, as Jitendralal Bannerjee lived. Now that his body is imprisoned, is there no one amongst the students of Calcutta who has the heart to hear the call of his soul?

APPEAL TO CALCUTTA STUDENTS.

The arrest of Lala Lajpat Raj has opened a new chapter in the history of our movement. To my mind the meaning of this arrest is significant. The bureaucracy is impatient of our success. It has lost its temper and naturally it has commenced to strike. Hitherto the attack of the bureaucracy has been more or less indirect. This is direct. Lajpat Rai is one of the pillars of the Congress movement. Through him the Congress itself has been struck. I welcome this direct attack. It means an open trial of strength between the bureaucracy and the Congress, and as the Congress year is about to close, it is time for the result to be proclaimed.

In Bengal the arrests have been equally significant. They took away Pir Badsa Mian

and Doctor Suresh hand-cuffed and chained together as the most eloquent symbol of the bondage and unity of the Hindus and the Musalmans. Jatindra Mohan Sen Gupta is in jail, proving the worth and triumph of Chittagong. Nripendra one of the most popular Professors, has shared the same fate. Professor Birendra Nath Mukherji of Rungpur has already led a thousand volunteers to prison, leaving twenty thousand more awaiting the glory of arrest. Brihmanbaria in Commilla is ready with more victims than our masters want.

But what of Calcutta? That is the question which distresses me to day. Only five thousand workers have volunteered, only five thousand in this great City with so many schools and so many Colleges? To-day six of these volunteers were arrested. They were doing Congress work, selling Khaddi and introducing Charkas. So the bureaucracy has made up its mind to stop the work of the Congress. Only five thousand in this great City and the work of the Congress about to be stopped! Have the students of Calcutta nothing to say? Is this the time for study; Art and Literature, Science and Mathematics:—O! the shame of it all when the Mother calls and these have not the heart to hear.

I feel sodesolate in this great City. I see thousands and thousands of youngmen all around me wherever I go, but their faces are old with wordly wisdom and their hearts are cold and dead. I wish God had given me the strength to rekindle the fire of life in their hearts so that the youngmen of Calcutta may be young again. It is the young who fought the battle of freedom in every age and in every clime. It is the young who are purer in spirit and are ever ready for sacrifice.

I am growing old and infirm and the battle has just commenced. They have not taken me yet but I feel the handcuffs on my wrist and the weight of iron chains on my body. It is the agony of bondage. The whole of India is a vast prison. What matters it whether I am taken or left.

One thing is certain. The work of the Congress must be carried on whether I am dead or alive. Only five thnsand in this great City and the work of the Congress about to be stopped! I ask again, have the students of Calcutta no answer to make?

MESSAGE TO THE COUNTRY.

CALCUTTA, DEC. 10.

Just after his arrest Mr. Das sent the following message :—

“ This is my last message to you, men and women of India. Victory is in sight if you are prepared to win it by suffering. It is in such agony as that through which we are passing, that nations are born, but you must bear this agony with fortitude, with courage and with perfect self-composure.

Remember that so long as you follow the path of non-violence you put the bureaucracy in the wrong, but move by a hair's breadth from the path which Mahatma Gandhi has mapped out for you and you give away the battle to the bureaucracy.

Swaraj is our goal Swaraj not in compartments, not by instalments, but Swaraj whole and entire. Now it is for you, men and women to say whether we shall attain the goal for which we are striving.

To my Moderate friends I say this. Survey the history of the world from the beginning of all times. Has any nation yet won freedom by pursuing the path which you are pursuing? If

the appeal should reach any waverer amongst you I ask him to consider whether he will now stand on the side of India in her conflict or with the bureaucracy? There may be compromise in the matter of details, but there can be no compromise in the essential question that divides us from the bureaucracy and if you do not stand by India, you assuredly stand for the bureaucracy.

And to the students I say this, you are at once the hope and the glory of India. True education does not consist in learning to add two and two to make four, but it lies in the service which you are prepared to give to the Mother of us all. There is work to be done for the Mother. Who amongst you is prepared to answer the call?

THE LEADER'S MESSAGE.

The following Statement regarding his case was authorised by Deshbandu to be published after judgment had been delivered. It was not made in Court but is meant for his countrymen:

ARREST.

I was arrested on the 10th of December. One of the two police officers, who came to my house, came upstairs. When I was ready to accompany him, I asked him whether there was a warrant. He said there was, but it was at the Police Office at Lal Bazaar. I asked him what the charge was. He said Sec. 17 (2) or something like it. I was then taken to Lal Bazaar. No warrant was shown to me there. From there I was brought to the Presidency Jail. The 11th was a Sunday and nobody came to me nor was I produced before any Magistrate. On Monday, the 12th, at about 11 A. M., a police officer came to my cell. I believe his name is Mr. Kidd. He told me that I was at that time in police custody and that my case had been remanded by the police till the next day. On making enquiries he further said that I had been arrested under no warrant of any Magistrate

but on suspicion under Sec. 54 of the Code of Cr. Procedure, of having committed an offence under Sec. 17 (2) of the Criminal Law Amendment Act. I asked whether there had been any amendment of the law since I left the Bar. He said, 'No.' Sec. 54 of the Cr. P. Code empowers a police officer to arrest on suspicion of any cognizable offence. The offence under Sec. 17 (2) of the Criminal Law Amendment Act is non-cognizable. My arrest was, therefore, without any legal authority. Further I was produced before a Magistrate or rather a Magistrate was produced before me in front of my cell at about 5 P.M., on Monday, the 12th of Dec., i. e., at least 48 hours after my illegal arrest and detention

CHARGE.

On the 20th of January, a charge was framed against me. On this occasion, my trial took place in the Civil Jail at Alipore. On this date, witness Mr. S. N. Banerjee was further examined and another new witness, Mr Brewster, was examined. At the previous hearing the Magistrate did not frame any charge as he said further evidence was necessary. On this occasion, as soon as the evidence was recorded the Magistrate said he would frame a charge against

me under Sec. 17 of the Criminal Law Amendment Act ; and a copy of the charge was handed over to me. To my surprise I found that it had been typed from before. How could the Magistrate frame the charge without this additional evidence which was adduced on this date in the Civil Jail ? Was the Magistrate privately apprised of the nature of the evidence which was coming or had the Magistrate made up his mind from the very beginning that he would convict ?

The charge itself is representative of the trial. It is merely a repetition of the wording of the Section. It indicates clearly that neither the Public Prosecutor nor the Magistrate had any idea as to how the evidence before the Court could amount to a criminal offence. It was therefore found safer to insert in the charge all the words of the Section.

CASE.

The evidence adduced against me was purely documentary. It consisted of some of the messages which appeared in the newspapers and the letter sending one of the messages to the Press. The proof of my case thus depended upon the proof of the signatures which the prosecution alleged were mine. To prove these signatures, the prosecution at first called Mr. S.

N. Bannerjee, who is a Deputy Superintendent of Police, Sepecial Branch. He for a very short time came to instruct me in the Munitions Board case. I doubt if he ever noticed my writing. He is certainly not acquainted with my handwriting or signature. The model, which he has put in, being the receipt of my fees from the Munitions Board—Ex. 15 (1) was not signed in his presence, although the signature is undoubtedly mine. He said that he had seen my signature more than once.' He did not say when, how, how many times or under what circumstances.

The Magistrate did not think it necessary to ask him these questions, although my case was not being defended. This witness 'believed' the following signatures were mine :—Ex. 4 (1). Ex. 10 (1), Ex. 11 (1), 11 (2) and Ex. 1 (1). Of these signatures. Mr. Brewster says Exs. 11 (1) and 12 (1) are not in my handwriting.

The next witness is Brewster. He said that he had seen me write. When, how or under what circumstances, he did not say, nor did the Magistrate think it necessary to put any questions to him to test his capacity to depose as to my handwriting. He says he saw me write once

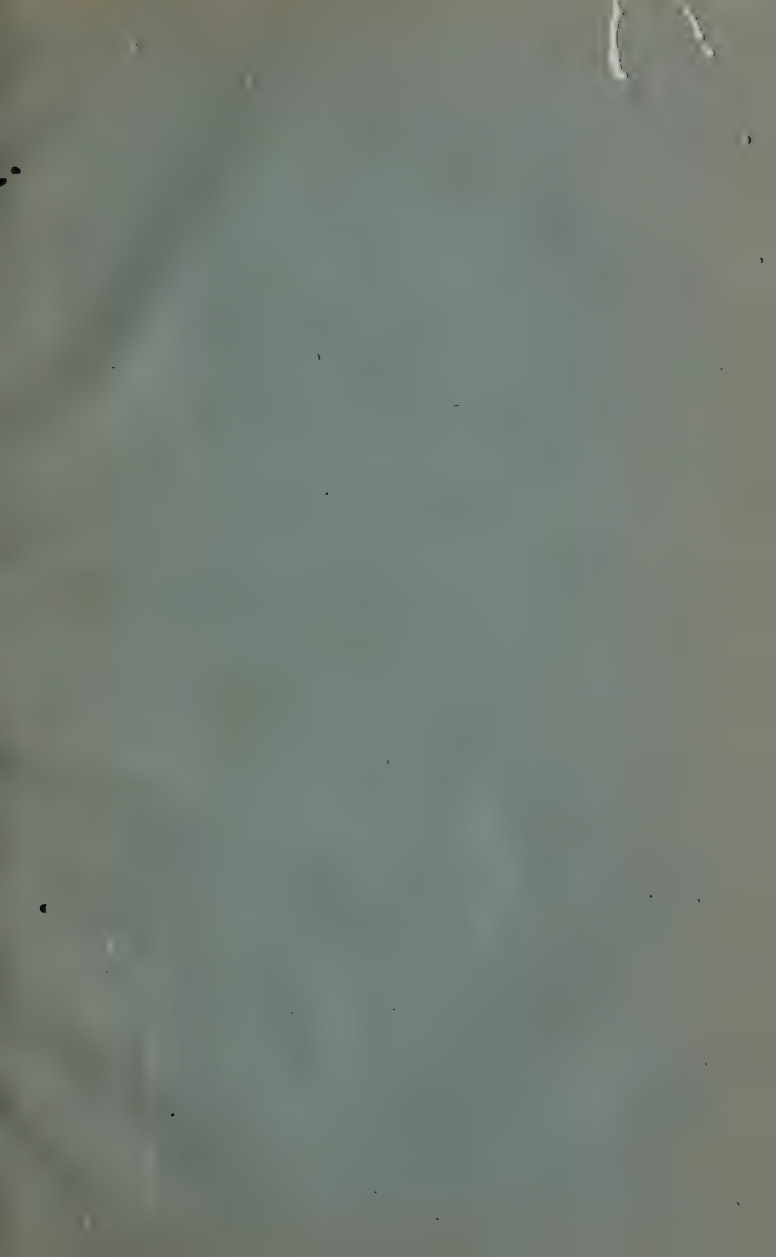
at Alipore and' once at Arrah. On both these occasions, he appeared as an expert witness and I cross-examined him. How could he, when he was under cross-examination, snatch an opportunity to be acquainted with my handwriting and especially my signature has been a puzzle to me. I assert he is not acquainted with either my handwriting or my signature. In his capacity of a witness who is personally acquainted with my handwriting and signature, he proves Ex. 4 (1), Ex. 10 (1) and Ex. 11 (2) (both the signature as well as the three lines written above). Then, in his capacity as an expert, he says that these signatures, that is, Exs. 4 (1). 10 (1) and 11 (2), including the 3 lines written above, are in the same handwriting as the model Ex. 15 (1). With regard to his evidence as an expert, all that is necessary to point out is that he made no photographs of the disputed handwritings and the signatures. It is, therefore, not giving expert testimony.

I assert that not one of the signatures deposed to by these witnesses, is mine, nor are the three lines written above the signature Ex. 11 (2). Ex. 1 (1) and Ex. 10 (1) are signatures made by Sj. Anil Kumar Ray. Ex. 11 (1) is signature made by Sj. B. N. Sasmal

and, both Ex. 11 (2), the signature and the 3 lines of writing above it, are in the handwriting of S^r. Hemendra Nath Das Gupta. Ex. 12 (1) is signed by somebody in the office—it is certainly not my signature.

But although the signatures and writings are not mine I accept the full responsibility regarding the messages. The bureaucracy had me arrested illegally. The Magistrate draws up a charge of that description and proceeds on evidence of handwriting which is extremely amusing. Further, this must be borne in mind that under the Communique it is necessary for the prosecution to establish that I was a member of an organisation which was 'an existing' organisation on the date the Communique bears (i. e. the 18th of November 1921) and which had been proclaimed by the Communique. The record against me is destitute of any such evidence. I assert that no such associations as are mentioned in the charge ever existed in the Presidency of Bengal and I say further that the Volunteer organisation which I called into being in pursuance of the resolution of the Working Committee of the Congress, shortly after the publication of the Communique, was a perfectly peaceful and non-violent organisation and this

organisation has not up till now been proclaimed
as an illegal association.



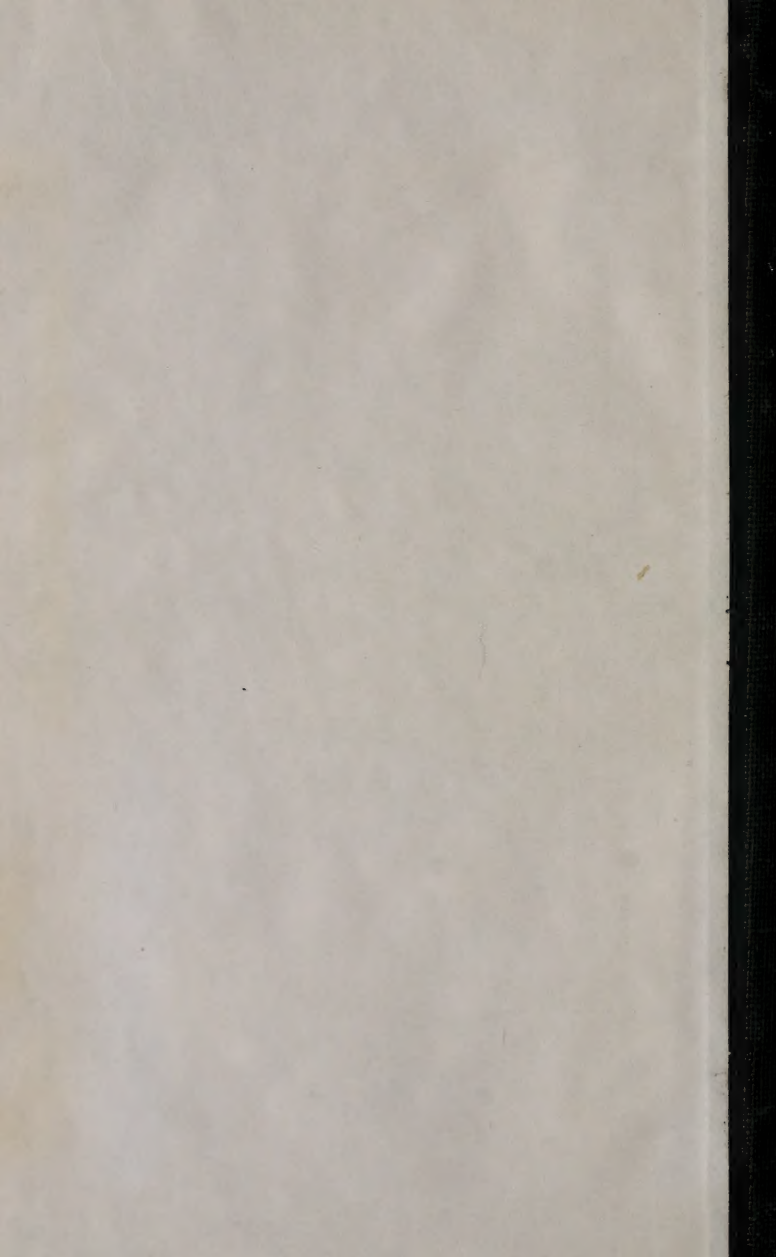
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